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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

United States of America

v.

Christopher Michael Sammons
5863 Warner Springs Drive
Westerville, OH 43081

Case No.

2:19-mj-267

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 3/11/19 to 3/27/19 in the county of Franklin County in the
Southern District of Ohio, the defendant(s) violated:

Code Section

18 U.S.C. 2251(d)(1)(A) & (B)

Offense Description

Making a notice or advertisement seeking or offering to receive, exchange, produce or distribute any visual depictions of minors engaged in sexually explicit activity; or seeking or offering participation in any act of sexually explicit conduct by a minor for the purpose of producing a visual depictions of such conduct, in interstate commerce.

18 U.S.C. 2252(a)(2) and 2252A(a)(2)

Distribution of visual depictions of minors engaged in sexually explicit conduct and/or child pornography, in interstate commerce.

This criminal complaint is based on these facts:

See attached affidavit incorporated herein by reference

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date:

4/5/2019

City and state:

Columbus, Ohio


Complainant's signature
Brett Peachey, FBI TFO
Printed name and title

Elizabeth Preston-Deavers, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In the Matter of the Criminal Complaint:

Christopher Michael Sammons
5863 Warner Springs Drive
Westerville, OH 43081

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Brett M. Peachey, a Task Force Officer with the Federal Bureau of Investigation ("FBI"), Columbus Resident Agency, being first duly sworn, hereby depose and state as follows:

1. I, TFO Brett Peachey (your affiant), make this affidavit in support of a criminal complaint to arrest for violations of 18 U.S.C. §§ 2251(d)(1)(A) & (B) and 2252(a)(2) – Advertising for and Distribution of Child Pornography. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, your affiant did not include each and every fact known concerning this investigation. Your affiant did not withhold any information or evidence that would negate probable cause. Your affiant set forth only the facts that are believed to be necessary to establish probable cause that Christopher M. SAMMONS committed the violations listed above.

2. Your affiant has been employed as a police officer for the Westerville Police Department since December of 1995. Since March of 2008, your affiant has been assigned to the Child Exploitation Task Force with the Federal Bureau of Investigation, Cincinnati Division, Columbus Resident Agency, conducting online child enticement and child pornography investigations. Your affiant is also a member of the Franklin County Internet Crimes Against Children Task Force in Columbus, Ohio investigating similar crimes. Your affiant has gained experience through a Bachelor of Arts Degree in Criminology, and has received specialized training in the area of internet crimes involving child exploitation, child pornography investigations and computer forensics. Your affiant has been involved in hundreds of investigations involving internet crimes against children, resulting in dozens of felony arrests and

convictions. As a Task Force Officer with the FBI, your affiant is authorized to investigate violations of the laws of the United States under the authority of the United States.

3. On March 11, 2019, FBI Special Agent Richard Hurst of the Little Rock (AR) Field Office was working in an undercover capacity attempting to identify subjects involved in the online sexual exploitation of children. On this date, Hurst received a message on a popular mobile application which is advertised as being an anonymous form of social media. The sender of the message, later identified as Christopher M. SAMMONS, had a profile on the application advising that he was a "21-25 years old, Male, Columbus, Ohio." Hurst and SAMMONS engaged in a conversation about their mutual sexual interest in children and, during this conversation, SAMMONS claimed that he was sexually active with a six year old family member (hereinafter referred to as Jane Doe). When Hurst also claimed to be engaging in sexual abuse of his fictitious minor family member, SAMMONS also offered to "share her [Jane Doe] next time if you're interested in a long term thing."

4. Hurst asked SAMMONS if he utilized the Kik Messenger App, and SAMMONS responded that he did. Hurst provided SAMMONS with his Kik user name and later received a message on Kik from SAMMONS, who was utilizing the Kik user name "Cw3x." During the ensuing Kik conversations, SAMMONS informed Hurst that he was a 26-year-old male residing in Ohio, provided details of his sexual abuse of Jane Doe, sent Hurst child pornography files, and suggested plans for he and Hurst to exchange videos of them sexually abusing their respective minor family members.

5. As Hurst and SAMMONS initially discussed their child pornography collections, SAMMONS, referring to Jane Doe, informed Hurst that he "Got other vids but of her I don't keep anything saved just incase (sic) you know." He then went on to describe his sexual abuse of Jane Doe, saying that he had access to her approximately once every two weeks, and that he "started showing her porn last time she got really into it." SAMMONS then questioned whether Hurst used any "outfits or toys" that he used with his fictitious minor family member, and explained how he utilized a "butt plug" on Jane Doe. SAMMONS then sent Hurst a photograph of the device he had described, and suggested where Hurst could buy one to use on his own minor family member.

6. SAMMONS then again questioned with Hurst “got any vids or anything ?” Hurst told SAMMONS that although he did not have any videos of his fictitious minor family member, he did have a link to some videos he had downloaded. SAMMONS responded, “It’s cool and send ?” As Hurst indicated he was trying to find the link to send, SAMMONS stated, “Your cool man be cool to have a partner that’s into this,” and “be hot to custom do vids if you’re interested as long as it stays here.” After further discussions regarding when they would both next have access to the minor children, SAMMONS asked, “Any luck with the vids”. When Hurst replied “Anything you want in particular?” SAMMONS replied “Your good any young I’ll return.” Hurst sent SAMMONS a link to a cloud account which contained corrupted files with titles indicative of child pornography but would not open or play. SAMMONS responded by sending a link to a cloud account containing 15 videos that depicted various females in various stages of dress or nudity. It did not appear that any of the females were prepubescent. When Hurst responded that “Most of them are too old for me lol,” SAMMONS sent a 25-second video that depicted a prepubescent female performing oral sex on an adult male. He then inquired again whether Hurst had any videos.

7. As Hurst and SAMMONS continued to discuss the availability of child pornography, SAMMONS suggested “just make some home made stuff” and then described to Hurst that he once recorded himself inserting a “butt plug” into Jane Doe’s anus and offered “I’ll have to do it again to show you.”

8. On March 20, 2019, Hurst reached out to SAMMONS again, inquiring when SAMMONS would next have Jane Doe. SAMMONS responded a few days later, saying it would be “this coming Thursday night/Friday”. After Hurst indicated that he would try to have his fictitious minor family member at the same time, SAMMONS asked if Hurst had gotten any toys or an outfit for the fictitious victim, and claimed that he had just obtained anal beads to use on Jane Doe. As the conversation about the two victims continued, SAMMONS suggested that Hurst “need to get her a little outfit be super hot, what are you wanting to see when I have ? Want to swap vids or ?” When Hurst responded that he could do whatever SAMMONS wanted to see with the fictitious victim, SAMMONS further suggested and inquired, “we can do vids if your cool with it do you plan on penetrating her”. SAMMONS then went on to describe the sex acts he planned to engage in with Jane Doe to show to Hurst:

I know I'll have her take the plug if anything ill [sic] have her upside down with her legs falling down and her ass and pussy exposed and put it in show you then once it gets so far it just pushes in. Never used the beads before just got them in ordered 2 of them I've never penetrated her before I can try to see if she will let me try her ass

SAMMONS then went on to suggest how Hurst could use a butt plug on his own fictitious minor victim and record it for SAMMONS, and said "hopefully she takes your load in her ass be hot to see drip out".

9. As SAMMONS and Hurst continued to make plans to share videos of them abusing their respective victims, SAMMONS suggested that Hurst, "cut the crotch and ass out" of the underwear of Hurst's fictitious victim and then requested a photograph of Hurst's fictitious victim. In response, Hurst sent three photographs of what was purported to be the nude torso of a prepubescent child wearing underwear with her shift lifted. In response, SAMMONS sent three photographs of a prepubescent child who appeared to be five to six years old in a bathing suit at a pool. This was later confirmed to be photos of the family member that SAMMONS claimed to be sexually abusing. SAMMONS claimed that the photographs had been taken that day. SAMMONS and Hurst continued to discuss plans for the exchange of videos depicting them sexually abusing the minors through March 25, 2019.

10. On March 12, 2019, FBI Little Rock issued an administrative subpoena was served on Kik requesting any identifying account information for user name "Cw3x." Kik responded with the following information:

First Name: C
Last Name: xl
E-mail:widowmaker201@yahoo.com (unconfirmed)

Kik also provided IP address log ins for the account from March 1 through 14, 2019. Almost all of the IP addresses listed resolved to Verizon Wireless. An administrative subpoena was issued to Verizon Wireless for subscriber information for two of the IP addresses utilized to access the target Kik account on the relevant dates: IP address 174.233.19.53 on March 1, 2019, and IP address 174.229.15.93 on March 10, 2019. Verizon Wireless responded with the following information:

Last Name: Sammons
First Name: Brittany
Address: 5863 Warner Springs Drive
Westerville, OH 43081

Based on the geographic location indicated by this subscriber information, an investigative lead was forwarded to FBI Columbus.

11. As part of his duties with the FBI Child Exploitation Task Force and Franklin County Internet Crimes Against Children Task Force, your affiant, TFO Peachey, routinely engages in undercover investigations to identify subjects involved in the online exploitation of children. During these investigations, your affiant utilizes the profile of a single parent of two minor children on various websites, message boards, and messenger applications.

12. On March 25, 2019, after being advised of Hurst's ongoing investigation with SAMMONS, your affiant, utilizing the undercover persona described above, sent a message to SAMMONS' Kik user name "Cw3x" in an attempt to engage him in conversation and get more information regarding SAMMONS' activities. After a brief conversation, SAMMONS asked your affiant "are you into the mother daughter stuff?" During the ensuing conversation, SAMMONS told your affiant about Jane Doe and sent a photo of an approximately six-year-old female in a bathing suit. This photo appeared to be the same as one of the three photographs that SAMMONS sent to Hurst. As your affiant and SAMMONS continued communicating, SAMMONS advised that his name was Chris and they discussed their sexual interests in children. SAMMONS also sent your affiant two photos of himself.

13. As the conversations continued, SAMMONS and your affiant discussed SAMMONS engaging in sexual activity with your affiant's fictitious ten and three year old daughters. SAMMONS then advised that he had been sexually active with Jane Doe for a year by engaging in oral sex and "use a butt plug." In later conversations SAMMONS specifically described some of his recent sexual abuse of Jane Doe, saying, "last time I put the remote vib down her panties and just listened to her moan while she slept", and again later referenced using both a "but (sic) plug and a egg vib I put in her ass."

14. SAMMONS advised that he was going to be picking up Jane Doe after work on March 28, 2019, and would be babysitting through Friday, March 29, 2019. SAMMONS also stated that he would, "send whatever to you when I have her....I don't keep content like that saved just incase (sic)." SAMMONS later stated, "stay up late Thursday I'll send you pics or vids of us...I'll send you something might be around 11ish.....Thursday when I have her what's one thing you want a pic of...Thursday night then want to video call we can show each other are real with the littles....what did you want to see with her?...Pull her panties off or show her pussy, etc." SAMMONS and your affiant again discussed the possibility of SAMMONS engaging in sexual activity with your affiant's fictitious children and SAMMONS stated, "What's open on the littles? I would love to have the oldest under you eating you then let me stretch her little holes." On March 27, 2019, SAMMONS confirmed the plans for the following evening, saying "Tomorrow night we can do the video call I'll show you we are real."

13. On March 28, 2019, a search warrant was executed at 5863 Warner Springs Drive Westerville, OH 43081. SAMMONS was present at the time and was interviewed on the scene after being advised of his Miranda rights. SAMMONS acknowledged that he was conversing with Agent Hurst's and your affiant's personas online but initially claimed that any talk of sexual activity with his niece was only fantasy. SAMMONS admitted that he had been a member of various Kik groups in the past and that subjects would occasionally post links or files of child pornography. SAMMONS eventually admitted that he had engaged in oral sex multiple times with Jane Doe as well as fondling her vagina and that this activity had started approximately a year prior. SAMMONS also stated that he had taken photos of Jane Doe in the bathtub and of her vagina multiple times and sent them to people that he was communicating with online. SAMMONS stated that he did not recall sending the video depicting the prepubescent female performing oral sex to Agent Hurst on March 11, 2019. However, he did recall sending the Dropbox link to Agent Hurst and admitted that he had possessed similar videos as the one sent to Agent Hurst in the past.

14. Contact was made with Jane Doe's parents and they were advised of the alleged sexual abuse and production of child pornography involving their daughter. They advised that Jane Doe is actually five years of age and that she would occasionally stay overnight with SAMMONS and his wife at their residence, and these visits started approximately a year ago. The family also

advised that Jane Doe was scheduled to stay overnight at SAMMONS' residence on March 28, 2019.

15. SAMMONS' wife stated that she would work Friday mornings and that SAMMONS would be alone with Jane Doe for several hours on the days that Jane Doe stayed at their residence. SAMMONS' wife was advised of the "butt plug" and "vibrating egg" that SAMMONS referenced in the conversations with TFO Peachey and Agent Hurst and immediately knew what he had been referring to. SAMMONS' wife voluntarily turned over both of these items to your affiant. The "butt plug" appeared to be the same item depicted in the photos that SAMMONS sent to Agent Hurst.

16. Forensic examination of SAMMONS' Samsung smart phone was attempted but was largely unsuccessful with traditional forensic tools. A manual review of the phone revealed that Kik app had been installed and that the Cw3x profile was currently logged in. It should be noted that several investigators tried to manually locate the Kik app on the phone and could not find an icon for it. However, when a search query was done on the phone, the Kik app was located. This indicates that the Kik app was somehow hidden on the phone so that it was not easily located by anyone other than the user. A review of the Cw3x Kik profile on the phone revealed that the most conversations between SAMMONS and Hurst and your affiant. The fact that only a small number of the known conversations were present indicates that SAMMONS was regularly deleting his Kik conversations. The limited forensic examination that was possible, which did not recover any deleted data, revealed the presence of two photos that SAMMONS had sent of himself to your affiant as well as one of the photos of your affiant's fictitious daughters that was sent to SAMMONS. In addition, the three photos of Jane Doe in a bathing suit that SAMMONS had sent to Hurst were also observed. No photos of child pornography have been observed at this point indicating that, as SAMMONS claimed in his interview with your affiant, he routinely deletes any illegal photos or videos. The viability of further/additional forensic techniques is being investigated to determine whether deleted data can be obtained from the device.

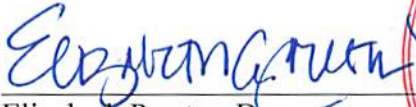
17. On April 3, 2019, a forensic interview was conducted with Jane Doe at the Child Advocacy Center in Columbus, OH. At that time, she did not disclose any abuse.

18. Based upon the above information, your affiant submits that there is probable cause to believe that Christopher Michael SAMMONS has committed the offenses of Advertising for and Distribution of Child Pornography in violation of 18 U.S.C. §§ 2252(a)(2) and 2251(d)(1)(A) & (B). Therefore, your affiant respectfully requests this Court issue a criminal complaint and arrest warrant.



Brett M. Peachey
Task Force Officer
Federal Bureau of Investigation

Sworn to and subscribed before me this 5th day of April 2019.



Elizabeth Preston-Deavers
United States Magistrate Judge
United States District Court for the Southern District of Ohio

